

AMENDED IN ASSEMBLY JUNE 5, 1997

AMENDED IN SENATE APRIL 22, 1997

AMENDED IN SENATE APRIL 9, 1997

SENATE BILL

No. 1318

Introduced by Senator Polanco

(Principal coauthor: Assembly Member Villaraigosa)

February 28, 1997

An act to add Section 47605.5 to the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1318, as amended, Polanco. Education: charter schools: county offices of education.

Existing law, known as the Charter Schools Act of 1992, authorizes a procedure for the establishment of charter schools. Under existing law, charter schools receive public funding in accordance with specified provisions, but are not generally subject to the laws governing school districts. Existing law authorizes school districts to review petitions for the establishment of, and to grant charters for the operation of, charter schools, as specified.

This bill would express legislative findings and declarations with respect to the Charter Schools Act of 1992. The bill would provide that, for the purposes of the review of petitions for the establishment of, and the granting of a charter for the operation of, a charter school under the act, "school districts" shall include county offices of education. Except for the

granting or renewing of a charter the application for which was previously denied by a school district, the bill would limit the charters granted by county offices of education to educational programs serving ~~students~~ *pupils* in county community schools.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares both
2 of the following:

3 (a) The intent of Chapter 781 of the Statutes of 1992
4 (Senate Bill 1448 of the 1991–92 Regular Session) was to
5 authorize school districts and county offices of education
6 to approve applications for charter schools.

7 (b) While a number of county offices of education
8 have already approved charter applications, clarifying
9 legislation is necessary to ensure that charters approved
10 by county offices of education are limited to programs
11 statutorily delegated to county offices of education.

12 SEC. 2. Section 47605.5 is added to the Education
13 Code, to read:

14 47605.5. (a) For purposes of the review of petitions
15 for the establishment of, and the granting of a charter for
16 the operation of, a charter school under this chapter,
17 “school districts” shall be defined to include county
18 offices of education.

19 (b) Except for the granting or renewing of a charter
20 the application for which was previously denied by a
21 school district, ~~charter~~—*charters* authorized by county
22 offices of education shall be limited to charters for
23 educational programs serving ~~students~~—*pupils* in
24 accordance with *subdivision (c) or (d) of Section 1981*.

25 SEC. 3. *The effect of the addition of Section 47605.5*
26 *to the Education Code by this act is declaratory of existing*
27 *law.*

1 *SEC. 4.* This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or
3 safety within the meaning of Article IV of the
4 Constitution and shall go into immediate effect. The facts
5 constituting the necessity are:

6 In order to ensure the continued delivery of
7 educational services to pupils served by county
8 community schools, it is necessary that this act take effect
9 immediately.

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